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ATTORNEYS FOR PLAINTIFF  
ARMADA BULK CARRIER, LTD.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ARMADA BULK CARRIER, LTD.,

Plaintiff,

-against-

ANDRES RUIZ DE VELASCO S.A.,

Defendant.

**JUDGE McMAHON**

**07 CIV 8221**

07 Civ. \_\_\_\_\_

**AFFIDAVIT IN  
SUPPORT OF ATTACHMENT**

STATE OF NEW YORK            )  
  ) ss:  
COUNTY OF NEW YORK        )

Christopher R. Nolan, being duly sworn, deposes and says:

1. I am associated with the firm of Holland & Knight LLP, attorneys for plaintiff Armada BulkCarrier, Ltd. ("Plaintiff"), and am duly admitted to practice before the United States District Court for the Southern District of New York.

2. I am familiar with the facts and circumstances underlying this dispute and I am submitting this affidavit in support of the Verified Complaint and the Writ of Attachment.

3. Defendant Andres Ruiz de Velasco S.A. is not listed in the telephone directory of the principal metropolitan areas in this district, nor is it listed in the Transportation Tickler, a recognized commercial directory in the maritime industry.

4. Our office contacted the Secretary of State for the State of New York and was advised that Defendant Andres Ruiz de Velasco S.A. is neither a New York business entity, nor is it a foreign business entity authorized to do business in New York.

5. To the best of my information and belief, Defendant Andres Ruiz de Velasco S.A. cannot be found within this district or within the State of New York.

6. Based upon the facts set forth in the Verified Complaint, I respectfully submit that the Defendant Andres Ruiz de Velasco S.A. is liable to Plaintiff for the damages alleged in the Verified Complaint, which amounts, as best as can be presently determined, to a total of \$256,959.13, including estimated interest and attorneys' fees.

7. Upon information and belief, Defendant Andres Ruiz de Velasco S.A. has property, goods, chattels or effects within this jurisdiction, to wit: funds or accounts held in the name of Andres Ruiz de Velasco S.A. at one or more of the following financial institutions:

Bank of America, N.A.

Bank of China

The Bank of New York

Citibank, N.A.

Deutsche Bank Trust Company Americas

HSBC Bank USA, N.A.

JPMorgan Chase Bank, N.A.

UBS AG

Wachovia Bank, N.A.

Société Générale

Standard Chartered Bank

BNP Paribas

Calyon Investment Bank

American Express Bank

Commerzbank

ABN Amro Bank


Bank Leumi USA

Banco Popular

Bank of Tokyo-Mitsubishi UFJ Ltd.

8. Plaintiff is, therefore, requesting that this Court, pursuant to Rule B(1) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure, issue a writ of maritime attachment for an amount up to \$256,959.13.

**WHEREFORE**, Plaintiff respectfully requests that the application for a writ of maritime attachment and garnishment be granted.



Christopher R. Nolan

Sworn to before me this  
20<sup>th</sup> day of September, 2007

  
Notary Public

# 4804945\_v1

**DIALYZ E. MORALES**  
Notary Public, State Of New York  
No. 01MO6059215  
Qualified in New York County 11  
Commission Expires June 25, 2009